

REMARKS

This Response is timely filed within the unextendible 1-month deadline set forth in the Restriction Requirement for applications under accelerated examination. Applicants do not understand the reason for this deadline, however, since it is submitted that the present application is not in fact under accelerated examination.

Claims 1, 13, 17-18, 20-26, and 30-43 are pending in the application.

Restriction

Applicants hereby elect with traverse Group I (claims 1, 13, 17 and 18 in part), drawn to compounds of formula I wherein:

X is HN, R₁₁N;

two adjacent groups of R₁-R₈ do not form a ring;

R₉ and R₁₀ are not methylenedioxy; and

a pharmaceutical composition thereof.

Applicants reserve the right to pursue the non-elected claims in a future divisional patent application.

Applicant respectfully submits that the search of related groups I-IV would not be unduly burdensome. Applicant respectfully submits, and contrary to the Examiner's position, that the Markush group of Formula I is proper based on a quinazoline core.

The Applicant acknowledges the Examiner's restriction among related product and process claims, and reserves the right to obtain rejoinder of claims as appropriate.

CONCLUSION

The Applicant respectfully requests reconsideration of the Restriction requirement and the rejoining of Groups I-IV. The Examiner is urged to contact the undersigned attorney at 612-336-4686 with any questions or concerns.

Respectfully submitted,

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Date: October 25, 2006

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